<u>REMARKS</u>

Applicants have cancelled all of the originally filed claims 1-20, inclusive. New claims 21-39, inclusive, have been added to better encompass the full scope and breadth of the invention notwithstanding Applicants' belief that the claims would have been allowable as originally filed. Accordingly, Applicants assert that no claims have been narrowed within the meaning of *Festo*.

I.   <u>Rejection of Claims 6-14 Under 35 U.S.C. §112</u>

Claims 6-14 stand rejected under 35 U.S.C. §112. Applicants have drafted amended claims to assure compliance to 35 U.S.C. §112.

II.   <u>Rejection of Claims 1-5 and 15-20 Under 35 U.S.C. §102(e) as being anticpated by Smith</u>

Claims 1-5 and 15-20 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Smith, et al. (Reference A) U.S. Patent 6,578,078. Applicants respectfully request reconsideration of this rejection for at least the following reasons.

Though it is clear that Smith teaches how a network resource can still be accessed after the URL of the network resource has changed (e.g., Col. 13 line 25 - Col. 14 line 7 and Col. 15 lines 24-60), Reference A *remains limited to teaching how hyperlink references to a network resource can be preserved when content has been moved from one location to another*.

The only similarity between Smith and Applicant is that both teach how to respond to a determination from a resource location request that a network resource can not be accessed from a URL or hyperlink reference. This is where the similarity ends. *Applicants are not interested in teaching how to preserve access to existing content* in the event of a location change, but rather Applicant teaches a different purpose to obtain a new result by *showing how to dynamically create new content that relates to non-query URI components of a URI when it is determined that no content can be found on a server corresponding to the URI*. In short, Applicants use a similar method to solve an entirely different problem. Applicants teach how to construct a server designed to intentionally provide relevant content to a requestor in response to the inability to find requested content on the server.

For instance, Smith teaches how a stub file (e.g., 404 file not found page) can be generated and used for the purpose of preserving old links that no longer directly access content. Smith also relies on consulting a preservation engine having a database to retrieve a predetermined destination URL in order to generate the stub file. Applicants do not rely on consulting a database to retrieve a predetermined URL for the purpose of locating content that has changed location but rather *Applicants teach how a*

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new URL can instead be generated and used in order to dynamically construct content from the results of a search request specifically from non-query components of the original URL, the original URL having a path portion that can not be found on the server corresponding to the original URL.

All claims have been rewritten to define patentably over Smith and other references, alone or in combination. For instance, the last three recited steps of independent Claim 21, "parsing at least one non-query URI component from said URI, generating a search query from said at least one non-query URI component; and, providing results of a search engine request having said search query" is in no way taught or even suggested by Smith. Independent Claims 34 and 35 are similar to Claim 21 and have also been rewritten to define patentably over Smith and other references, alone or in combination.

Furthermore, dependent Claims 22-33, inclusive, incorporate all the subject matter of Claim 21 and add additional subject matter, which makes them, a fortiori, independently patentable over Smith.

Additionally, independent Claim 36 is similar in structure and has been rewritten to define patentably over Smith and other references, alone or in combination. Furthermore, dependent Claims 37-39, inclusive, incorporate all the subject matter of Claim 36 and add additional subject matter, which makes them, a fortiori, independently patentable over Smith.

III.   Notice of References Cited, PTO-892

Applicants have carefully reviewed the references cited but not applied. Applicants respectfully submit that none of those references, alone or in any combination, remedy the deficiencies of the applied art, nor teach or suggest the claimed invention alone or in any combination.

IV.   Conclusion

For all of the above reasons, the present application and pending claims 21-39, as amended, are believed to be in condition for allowance. Applicants respectfully request the Examiner to issue a formal Notice of Allowance directed to claims 21-39, inclusive.

V.   Conditional Request For Constructive Assistance

If, for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP §707.07(j) in order that this application can be placed in allowable condition as soon as possible and without need for further proceedings.

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Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact the first named Applicant at the telephone number listed below.

Respectfully submitted,

November 19, 2003

Eric Schneider

pro se Applicant

13938A Cedar Road #258

University Heights, Ohio 44118

(216) 231-2400 - telephone

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